

REMARKS

Applicants have received and carefully reviewed the Office Action of the Examiner mailed May 5, 2008. Currently, claims 1-11 and 33-38 remain pending. Claims 1-11 and 33-38 have been rejected. In this amendment, claims 1, 6, 33, and 35 have been amended and claims 3 and 34 have been cancelled. Favorable consideration of the following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. § 102

On page 2 of the Office Action, claims 1-11 and 33-38 were rejected under 35 U.S.C. 102(b) as being anticipated by Engelson (U.S. Patent No. 5,095,915). After careful review, Applicant must respectfully traverse this rejection.

Turning to claim 1, which recites:

1. A medical device, comprising:
 - an elongate core member having a longitudinal axis, wherein the core member includes a solid cross-sectional portion having a solid, non-hollow cross-section taken perpendicular to the longitudinal axis;
 - a polymer jacket affixed to at least a portion of the solid cross-sectional portion of the core member, the polymer jacket having a textured outer surface having a first diameter; and
 - wherein the textured outer surface includes a helical groove having a second diameter, less than the first diameter, formed in the outer surface of the polymer jacket, the helical groove defined by one or more edges extending between the first diameter of the outer surface and the second diameter of the helical groove, the one or more edges being rounded .

With this Amendment, Applicant has amended claim 1 to include elements of original claim 3, now canceled, and other limitations. As amended, claim 1 recite, in part, “a polymer jacket affixed to at least a portion of the solid cross-sectional portion of the core member, the polymer jacket having a textured outer surface having a first diameter”, and “wherein the textured outer surface includes a helical groove having a second diameter, less than the first diameter, formed in the outer surface of the polymer jacket, the helical groove defined by one or more edges extending between the first diameter of the outer surface and the second diameter of the helical groove, the one or more edges being rounded”. Nowhere does Engelson teach or suggest the claimed helical groove having one or more rounded edges.

In the Office Action, with regards to claim 3, the Examiner indicates that the Examiner is interpreting the grooves of Dobak to have rounded edges because the cross-section is cylindrical. Using this interpretation, the Examiner states that therefore the grooves when viewed from the end have curved edges. First of all, Applicant notes that nowhere in the Office Action does the Examiner cite Dobak in any rejection of the claims. Applicant assumes the Dobak reference is cited in error and that that the Examiner intended to cite Engelson. If this assumption is incorrect, Applicant respectfully requests correction and clarification of the rejection in a subsequent Non-Final Office Action so that Applicant can respond appropriately.

With this Amendment, claim 1 has been amended to further clarify and define the edges of the helical groove formed in the outer surface of the polymer jacket. Applicant respectfully asserts that, as amended, Engelson does not teach or suggest the claimed helical groove having one or more rounded edges. Further, the Examiner's interpretation that the grooves, when viewed from the end, have curved edges is incorrect as claim 1 further defines the edges of the groove.

As the Examiner is well aware, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.’ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... ‘The identical invention must be shown in as complete detail as is contained in the ... claim.’ *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).” (See MPEP § 2131). As discussed above, Engelson clearly fails to teach each and every element in as complete of detail as is contained in claim 1. Therefore, for at least these reasons, claim 1 is believed to be not anticipated by Engelson. For similar reasons and others, claims 2 and 4-5, which depend from claim 1 and include additional limitations, are believed to be patentable over Engelson.

Turning to claim 6, which recites:

6. An intravascular guidewire, comprising:
 - an elongate core member having a proximal end region and a distal end region, the distal end region having a solid, non-hollow cross-section taken perpendicular to a longitudinal axis of the elongate core member;
 - a polymer jacket affixed to the distal end region of the core member, the polymer jacket having a textured outer surface; and

wherein the textured outer surface is defined by a helical channel formed in the outer surface of the polymer jacket, wherein the helical channel includes a distal end, the distal end of the helical channel being disposed proximal of a distal end of the polymer jacket.

As amended, claim 6 recites “wherein the helical channel includes a distal end, the distal end of the helical channel being disposed proximal of a distal end of the polymer jacket”. Nowhere does Engelson teach or suggest this limitation.

In contrast to claim 6, Engelson teaches or suggest “[t]he distal region of the wire core, i.e. at least about a 3-cm distal end section of the core, is encased in an elongate polymeric sleeve 44” (column 4, lines 10-12). Engelson also teaches that sleeve 44 has a helical groove 46 extending substantially along the length of the sleeve 44. (See column 4, lines 46-52). Clearly, in this configuration, the distal end of the helical channel is not proximal of the distal end of the polymer jacket. Therefore, Engelson does not teach or suggest each and every element of claim 6, as is required for anticipation. Thus, for at least these reasons, claim 6 is believed to be not anticipated by Engelson. For similar reasons and others, claim 7-11, which depend from claim 6 and include additional limitations, are believed to be not anticipated by Engelson.

Turning to claim 33, which recites:

33. A medical guidewire, comprising:
a solid, non-hollow elongate core member having a proximal region and a distal region;
a polymer jacket affixed to the distal region of the elongate core member, the polymer jacket having an outer surface, wherein a helical channel, defined by one or more rounded edges, is formed in the outer surface of the polymer jacket; and
a coating disposed over the polymer jacket.

As discussed previously, nowhere does Engelson teach or suggest “a helical channel, defined by one or more rounded edges, is formed in the outer surface of the polymer jacket”. Therefore, for at least these reasons, claim 33 is believed to be not anticipated by Engelson.

Turning to claim 35, which recites:

35. A medical guidewire comprising:
an elongate core member having a proximal region and a distal region, the distal region of the elongate core member including a tapered diameter portion; and
a polymer jacket affixed to at least a portion of the tapered diameter portion of the distal region of the elongate core member;

wherein the polymer jacket has a textured outer surface defined by a helical groove formed in the outer surface of the polymer jacket, wherein the helical channel includes a distal end, the distal end of the helical channel being disposed proximal of a distal end of the polymer jacket.

As discussed previously, nowhere does Engelson teach or suggest "wherein the helical channel includes a distal end, the distal end of the helical channel being disposed proximal of a distal end of the polymer jacket". Therefore, for at least these reasons, claim 35 is believed to be not anticipated by Engelson. For similar reasons and others, claims 36-38, which depend from claim 35 and include additional limitations, are believed to be not anticipated by Engelson.

Conclusion

In view of the foregoing, all pending claims are believed to be in a condition for allowance. Reexamination and reconsideration are respectfully requested. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

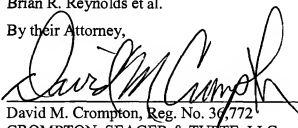
Respectfully submitted,

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By their Attorney,

Date: _____

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